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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,211	03/27/2001	Manfred Keller	764-25397US	4892
128	7590	06/13/2005	EXAMINER	
HONEYWELL INTERNATIONAL INC.			BAYARD, EMMANUEL	
101 COLUMBIA ROAD			ART UNIT	
P O BOX 2245			PAPER NUMBER	
MORRISTOWN, NJ 07962-2245			2631	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/806,211

Applicant(s)

KELLER ET AL.

Examiner

Emmanuel Bayard

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 4-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is in response to amendment filed on 2/9/05 in which claims 4-17 are pending. The applicant's amendments have been fully considered but they are moot base on the new ground of rejection therefore this case is made final.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 4-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Altwasser U.S. Patent No 5,797,132.

As per claims 4, 9 and 16, Altwasser teaches a method for operating transmitting and receiving devices in a control system for one or more rooms in a building, the method comprising: transmitting data signals from at least one of the transmitting devices to at least one of the receiving devices at a predetermined transmission cycle with a predetermined transmission duration (see abstract and col.5, lines 50-51 and col.6, lines 10-12); transmitting a synchronization signal from the at least one of the transmitting devices to the at least one of the receiving devices, the synchronization signal including information about the time interval between the transmitted data signals (see col.5, lines 53-55 and col.6, lines 13-15); activating the at least one of the receiving devices at a predetermined time interval and for a

predetermined time period, the predetermined time interval and period being synchronized to the transmission cycle of the at least one of the transmitting devices (see abstract and col.5, lines 53-57 and col.6, lines 10-19, 41-55 and col.9, lines 40-45 and col.16, lines 30-33) ; and allocating transmitting devices and receiving devices that communicate with one another via addresses that are included in the synchronization signal and data signal (see col.3, lines 65-67 and col4, lines 3,15,33-35 and col.8, lines 35-65).

As per claim 5, Altwassser inherently teaches wherein transmitting a synchronization signal from at least one of the transmitting devices to at least one of the receiving devices includes transmitting the synchronization signal at a halfway point during a time interval between the transmission of data signals.

As per claims 6, 12, 13 and 17, Altwassser teaches comprising synchronizing a receiving device by activating the receiving device until it receives a synchronization signal from a transmitting device and using the synchronization signal to set the predetermined time interval at which the receiving device is to be activated for receiving the data signal (see col.5, lines 53-57 and col.6, lines 10-19, 41-55 and col.9, lines 40-45 and col.16, lines 30-33).

As per claim 7, Altwassser inherently teaches, wherein the transmitting devices are dedicated to transmitting signals and wherein the receiving devices are dedicated to receiving signals.

As per claim 8, Altwassser inherently teaches wherein activating the at least one of the receiving devices at a predetermined time interval and for a predetermined time

period includes activating the at least one of the receiving devices during the predetermined time interval for the predetermined time period and deactivating the at least one of the receiving devices during time periods other than the predetermined time period at the predetermined time interval (see col.5, lines 53-57 and col.6, lines 10-19, 41-55 and col.9, lines 40-45 and col.16, lines 30-33).

As per claim 10, Altwassser teaches, wherein transmitting a synchronization signal including address information includes transmitting address information that identifies the receiving device as the intended recipient of the synchronization signal (see abstract and col.8, lines 35-67).

As per claim 11, Altwassser teaches, wherein transmitting data including address information includes transmitting address information that identifies the receiving device as the intended recipient of the data (see abstract and col.8, lines 35-67).

As per claim 14, Altwassser inherently teaches wherein transmitting data includes transmitting environmental control data.

As per claim 15, Altwassser inherently teaches wherein transmitting a synchronization signal includes transmitting a synchronization signal during a time period that is between instances of the predetermined intervals and that does not coincide with the time period during which the data is transmitted.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Herzer U.S. Patent No 5,841,348.

Herzer U.S. patent No 6,018,296.

Fernandez et al U.S. patent No 5,241,568.

Shiraishi et al U.S. patent No 5,734,969..

Seazholtz et al U.S. patent No 6,246,875 B1.

Gaskill U.S. patent no 5,757,782.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

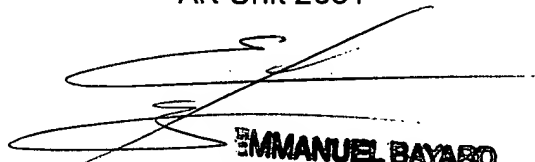
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Bayard whose telephone number is 571 272 3016. The examiner can normally be reached on Monday-Friday (7:Am-4:30PM)  
Alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on 571 272 3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6/7/05

Emmanuel Bayard  
Primary Examiner  
Art Unit 2631

  
**EMMANUEL BAYARD**  
**PRIMARY EXAMINER**